

The Orissa Gazette



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FOOD SUPPLIES & CONSUMER WELFARE DEPARTMENT

NOTIFICATION

The 28th March 2007

No. 5867—PI-I-G-12/2007—The Essential Commodities (Amendment) Act, 2006 (No 54 of 2006) of Government of India in the Ministry of Law and Justice (Legislative Department), New Delhi has been published in the Gazette of India, Extraordinary, Part-II, Section I, No. 62, dated the 26th December 2006. Such Amendment Act comes into force with effect from the 12th February 2007 as notified by Government of India vide S.O. 184(E), dated the 12th February 2007 in the Ministry of Consumer Affairs and published in the Gazette of India, Extraordinary, Part-II, Section 3, sub-section (ii) No. 149, dated 12th February 2007.

Both the above Government of India Gazette Notifications are hereby republished in the Government of Orissa Gazette Notification for general information :

By order of the Governor

B. SABAR

Special Secretary to Government

MINISTRY OF LAW & JUSTICE (Legislative Department)

New Delhi, the 26th December 2006/Pausa 5, 1928 (Saka)

The following Act of Parliament received the assent of the President on the 24th December 2006 and is hereby published for general information :—

THE ESSENTIAL COMMODITIES (AMENDMENT) ACT, 2006 (No. 54 of 2006)

The 24th December 2006

An Act further to amend the Essential Commodities, Act, 1955

BE it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows :—

Short title and
Commencement

1. (1) This Act may be called the Essential Commodities (Amendment) Act, 2006.

(2) It shall come into force on such date as the central Government may, by notification in the Official Gazette, appoint.

Amendment of Section 2. 2. In the Essential Commodities Act, 1955 (hereinafter referred to as the Principal Act), in Section 2, clause (a) shall be omitted. 10 of 1955.

Insertion of new Section 2A. 3. After Section 2 of the principal Act, the following section shall be inserted, namely :—

Essential Commodities Declaration, etc. 2A. (1) For the purposes of this Act, "essential commodity " means a commodity specified in the Schedule.

(2) Subject to the provisions of sub-section (4), the Central Government may, if it is satisfied that it is necessary so to do in the public interest and for reasons to be specified in the notification published in the Official Gazette, amend the Schedule so as to—

(a) add a commodity to the said Schedule;

(b) remove any commodity from the said Schedule in consultation with the State Governments.

(3) Any notification issued under sub-section (2) may also direct that an entry shall be made against such commodity in the said Schedule declaring that such commodity shall be deemed to be an essential commodity for such period not exceeding six months to be specified in the notification :

Provided that the Central Government may, in the public interest and for reasons to be specified by notification in the Official Gazette, extend such period beyond the said six months.

(4) The Central Government may exercise its power under sub-section (2) in respect of the commodity to which Parliament has power to make laws by virtue of Entry 33 in List III in the Seventh Schedule to the Constitution.

(5) Every notification issued under sub-section (2) shall be laid, as soon as may be after it is issued, before both Houses of Parliament.

Amendment of Section 3. 4. In Section 3 of the principal Act, in sub-section (2), in clause (g), the words "or cotton textile" shall be omitted.

Amendment of Section 12A. 5. In Section 12A of the principal Act, in sub-section (2), in clause (a), sub-clause (i) shall be omitted.

Savings of the orders issued under Section 3. 6. All notifications, orders, directions issued or any appointment made, licence or permit granted under Section 3 of the principal Act before the commencement of this Act and are in force, in respect of the essential commodities specified in the Schedule, shall continue to remain in force until and unless it is superseded by any notification, order, appointment made, licence or permit granted or directions issued and it shall be deemed to have been issued under the corresponding provisions of this Act.

THE SCHEDULE
(See Section 2A)
ESSENTIAL COMMODITIES

(1) drugs.

Explanation :— For the purposes of this Schedule "drugs" has the meaning assigned to it in clause (b) of Section 3 of the Drugs and Cosmetics Act, 1940;

- (2) fertilizer, whether inorganic, organic or mixed;
- (3) food-stuffs, including edible oilseeds and oils;
- (4) hank yarn made wholly from cotton;
- (5) petroleum and petroleum products;
- (6) raw jute and jute textiles;
- (7) (i) seeds of food-crops and seeds of fruits and vegetables;
(ii) seeds of cattle fodder; and
(iii) jute seeds.

K. N. CHATURVEDI

Secretary to the Government of
India

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
PUBLIC DISTRIBUTION

(Department of consumer affairs)

NOTIFICATION

New Delhi, the 12th February 2007

S.O. 184 (E)—In exercise of the powers conferred by sub-section (2) of Section 1 of the Essential Commodities (Amendment) Act, 2006 (54 of 2006), the Central Government hereby appoints the 12th February 2007 as the date on which the said Act shall come into force.

[F. No. 26 (1)/2004—ECR & E (Vol. III)]

ALKA SIROHI

Additional Secretary